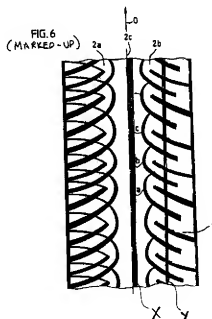


### REMARKS

Claims 5-8, 10 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over German Patent No. DE 4239475 (hereinafter DE '475) in view of Japanese Publication No. 2002-059711 to Iwamura (hereinafter JP '711), Japanese Publication No. 07-164829 to Shirai et al. (hereinafter JP '829), and German Patent No. DE 4302365 (hereinafter DE '365). Applicant respectfully traverses this rejection.

In response, Applicant respectfully submits that one of ordinary skill in the art would not have modified DE '475 in the manner suggested by the Examiner. Specifically, Applicant respectfully submits that one of ordinary skill in the art would not have modified the grooves of DE '475 by: (1) shortening half of the legs of the larger set of U-shaped grooves so that they do not extend to the edge of the tire; and (2) removing one of the two legs of the smaller set of U-shaped (or V-shaped) grooves, as suggested by the Examiner.

To better explain the changes proposed by the Examiner, at right is a marked-up version of Figure 6 of DE '475, where the left side of the figure shows the original groove design of DE '475, and the right side shows the modified version proposed by the Examiner, which includes new grooves X and Y. As can be seen in marked-up Figure 6, part of one of the legs of each of grooves a, b and c (the larger U-shaped grooves) have been removed, as proposed by the Examiner, so that these legs no longer reach the outer edge. As can also be



seen in marked-up Figure 6, one of the two legs of each of the smaller U/V-shaped grooves 1 has also been removed, so that these grooves now only reach the outer edge at one point, instead of at two points (as shown in the left-side of the figure). Thus, as can be seen by comparing the left-hand side of the marked-version of Figure 6 with the right-hand side, the number of grooves that extend to the edge has been *decreased* by the Examiner's proposed modification of this reference.

Applicant respectfully submits that modifying DE '475 in the manner suggested by the Examiner goes against one of the basic principles of this reference, which is to evacuate more water from beneath the tire by increasing the number of passageways that reach the outer edges of the tread. More specifically, paragraphs [0003] to [0005] of DE '475 discuss how tires with grooves in the form of adjacent arcs with shared axial grooves extending to the edge did not perform adequately. Accordingly, as described in paragraph [0006] of DE '475, the inventors of that reference recite that their invention "is characterized by the fact that the mentioned far neighboring elbows form no common groove section more, but that rather both ends of each large elbow at the edge of bearing surface are separate from all ends of the other large elbows. In relation to the starting point of the invention thus a larger number of crosswise running slots is at the axial edge of the bearing surface." In other words, this portion of DE '475 states that a principle of the DE '475 invention is to improve upon an older design of U-shaped grooves where adjacent grooves share a common axial leg extending to the edge by making a newer design of U-shaped grooves in which adjacent grooves each have two separate axial legs that both extend to the edge (i.e., "a larger number

of crosswise running slots . . . at the axial edge of the bearing surface”), such as shown in the left of the marked-up version of Figure 6 above. Thus, Applicant respectfully submits that it appears as though *increasing* the number of grooves that extend to the edge is a goal of DE ‘475. Accordingly, Applicant respectfully submits that one of ordinary skill in the art would not modify the groove configuration of this reference to that shown in the right side of the above marked-up version of Figure 6, which *decreases* the number of grooves that extend to the edge (of both sets of U-shaped grooves), such as shown in the right-hand side of marked-up Figure 6. Consequentially, for at least this reason, Applicant respectfully requests the withdrawal of this §103 rejection of independent Claim 11 and associated dependent Claims 5-8 and 10.

Claim 12 stands rejected under 35 U.S.C. §103 as being unpatentable over DE ‘475 in view of JP ‘711 and JP ‘829, and further in view of JP 03-074208 (hereinafter JP ‘208). The subject matter of dependent Claim 12 has been incorporated into associated Claim 11, and Claim 12 has been cancelled, without prejudice. Therefore, Applicant respectfully traverses this rejection as it applies to independent Claim 11.

Initially, Applicant respectfully request that this §103 rejection be withdrawn considering the above remarks directed to independent Claim 11, and also because JP ‘208 does not remedy the deficiencies discussed above, nor was it relied upon as such.

Additionally, Applicant also requests the withdrawal of this §103 rejection because the cited references, alone or in combination, fail to disclose or suggest a tire in which each of the arcuate main grooves is formed to be in a see-through state. Some of the

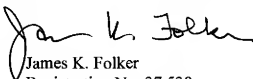
benefits of such a feature are that the consistency of the water discharge ability is enhanced and cavity noise generation is reduced. Such a combination of benefits is not found in the cited references, either alone or in combination with each other.

For all of the above reasons, Applicant requests reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely, it is hereby petitioned under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely. The Commissioner is hereby authorized to charge any additional fees which may be required to this Application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069.

Respectfully submitted,

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